

EXHIBIT 2

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION**

CRAIG PEDERSON and DAVID BROWN, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

AAA COLLECTIONS, INC.,

Defendant.

Case No. 4:22-cv-04166-RAL

Chief Judge Roberto A. Lange

**JOINT DECLARATION OF PLAINTIFFS' PROPOSED CLASS COUNSEL
SUPPORTING PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

1. Undersigned Declarants, Terence Coates (Markovits, Stock & DeMarco, LLC), Joseph M. Lyon (The Lyon Firm), Raina Borelli (Turke & Strauss, LLP), and Pamela Reiter (Reiter Law Firm LLC) are proposed class counsel for Plaintiffs in the above-captioned case ("Proposed Class Counsel").

2. This joint declaration is submitted in support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement with Defendant, AAA Collections, Inc. ("Defendant" or "AAA"), and the attachments thereto, including the Claim Form, the Short Form Notice, the Long Form Notice, the Proposed Preliminary Approval Order, and the Proposed Final Approval Order, attached to the Settlement Agreement.

3. By way of this declaration, Proposed Class Counsel submits to the Court the bases and structure of the settlement, including the significant relief it affords the settlement Class.

Proposed Class Counsel have personal knowledge of the facts in this declaration and could testify to them if called on to do so.

LITIGATION BACKGROUND

I. Procedural History

4. Plaintiffs Craig Pederson and David Brown are victims of AAA's Data Incident, having received notice of the data breach from AAA.

5. Upon receiving notice that their personally identifiable information and protected health information (collectively "Private Information") may have been impacted by the Data Incident, Plaintiffs retained the Proposed Class Counsel.

6. Prior to filing this case, Proposed Class Counsel conducted pre-suit investigation to ascertain all publicly available details about the cause, scope, and result of the data breach, as well as about the damages suffered by the Plaintiffs and the Class.

7. On December 1, 2022, Plaintiff Craig Pederson filed a class action lawsuit against AAA in the District Court for the District of South Dakota alleging claims of negligence, unjust enrichment, invasion of privacy, breach of implied contract, and declaratory relief. That case is styled *Pederson v. AAA Collections, Inc.*, Case No. 4:22-cv-04166, and alleged that AAA failed to adequately safeguard the Private Information entrusted to it—in connection with the data security incident that AAA experienced from September 5, 2022, until September 7, 2022.

8. On February 3, 2023, AAA moved to dismiss Plaintiff's Complaint. On February 24, 2023, Plaintiffs Craig Pederson and David Brown filed an Amended Complaint alleging claims of negligence, breach of implied contract, breach of third-party beneficiary contract, unjust enrichment, invasion of privacy, and declaratory relief. On March 28, 2023, AAA moved to dismiss Plaintiffs' Amended Complaint. On April 14, 2023, Plaintiffs filed their Response to AAA's Motion to Dismiss. On April 28, 2023, AAA filed a Reply Brief.

9. On June 5, 2023, this Court issued an Order setting the Motion to Dismiss for a hearing on June 20, 2023.

10. On June 15, 2023, the parties jointly moved the Court to stay of all case deadlines to allow them to participate in private mediation.

11. On June 16, 2023, this Court granted the joint motion to stay all case deadlines and rescheduled the motion hearing for August 11, 2023.

12. The Parties then agreed to mediate on August 9, 2023, with Jill R. Sperber, Esq. from Sperber Dispute Resolution.

13. In light of the scheduled private mediation, on July 19, 2023, this Court rescheduled the motion hearing for August 25, 2023.

14. Before mediation, the parties engaged in informal discovery, whereby AAA produced, key information about the size and composition of the Settlement Class, the types of sensitive information compromised, and other information about the Data Incident. The informal discovery helped Parties fully understand the claims, defenses, and risks of continued litigation. The Parties both prepared detailed mediation statements outlining their positions on the legal and factual claims at issue and their positions on the framework for resolution.

15. Plaintiffs have been impacted the same as all Class Members and have the same interests as them. Plaintiffs have assisted in the investigation of this case, reviewed and approved pleadings, stayed in contact with Class Counsel, and answered Class Counsel's many questions. Plaintiffs are informed of the risks of continued litigation and the benefits of early resolution.

II. Mediation

16. On August 9, 2023, the Parties participated in a full day mediation of this matter with Jill R. Sperber, Esq. from Sperber Dispute Resolution.

17. Under her guidance, the Parties negotiated at “arm’s length,” communicating their positions through her and evaluating the strengths and weaknesses underlying their claims and defenses, and further confirming the class size.

18. This session with Jill R. Sperber resulted in an agreement on the material terms of the Settlement and a non-reversionary common fund structure that would pay all claims and all associated costs of the settlement, including settlement administration, attorney fees, and any service awards. Throughout all negotiations, Class Counsel and counsel for AAA fought hard for the interests of their respective clients.

19. In the weeks that followed, the Parties continued negotiations and drafted the particular terms of the Settlement Agreement and associated exhibits. The Settlement Agreement and various exhibits were finalized and signed on October 5, 2023.

20. The Parties agreed that Analytics Consulting, LLC would serve as Settlement Administrator. Analytics Consulting, LLC has a trusted and proven track record of supporting hundreds of class action administrations, with vast legal administration experience.

COUNSEL’S RECOMMENDATION

21. Proposed Class Counsel’s years of experience representing individuals in complex class actions—including data breach actions—informed Plaintiffs’ settlement position, and the needs of Plaintiff and the proposed Class. While Proposed Class Counsel believe in the merits of the claims brought in this case, a successful outcome remains uncertain and would be achieved, if at all, only after prolonged, arduous litigation with the attendant risk of drawn-out appeals, and the potential for no recovery for the Class will remain until the time of successful verdict and appeal.

22. Based upon Proposed Class Counsel’s opinion that the proposed settlement of this matter provides significant relief to the members of the Class while accounting for the risk of

adverse results and providing early resolution creating savings in costs and time; and, therefore, the proposed settlement warrants the Court's preliminary approval.

23. The Settlement's terms are designed to address the potential harms—including out of pocket expenses, lost time, and the future risk of identity theft—caused by the data breach, reimbursing economic and non-economic losses.

24. This result is particularly favorable given the risks of continued litigation. Plaintiffs face serious risks prevailing on the merits, including proving causation, as well as risk at class certification and at trial, and surviving appeal. A settlement today not only avoids the risks of continued litigation, but it also provides benefits to the Class Members now—as opposed to after years of risky litigation.

25. The Settlement's benefits unquestionably provide a favorable result to the Class Members, placing the Settlement well within the range of possible final approval and satisfying the requirements for preliminary approval under applicable law. Therefore, the Court should grant preliminary approval.

26. A \$865,000 non-reversionary settlement for roughly 66,488 class members is a substantial recovery for the Class. Class Counsel's opinion that this \$865,000 Settlement is fair and reasonable for the approximately 66,488 Class Members is informed by other data breach class action settlements based on the per class member recovery amount. The settlement provided greater per class member value as compared to other similar recent settlements. The following chart identifies the per class member value based on the common fund settlement amount for certain recent cases that also involved sensitive, private information such as Social Security Numbers:

Case Name	Case Number	Settlement Amount	Class Size	Per Person
<i>In re C.R. England, Inc. Data Breach Litigation</i>	No. 6:22-cv-374	\$1,400,000	224,000	\$6.25
<i>Reynolds v. Marymount Manhattan College</i>	No. 1:22-cv-06846 (S.D.N.Y.)	\$1,300,000	191,752	\$6.78
<i>Julien v. Cash Express, LLC</i>	No. 2022-CV-221 (Putnam Cty., Tenn.)	\$850,000	106,000	\$8.02
<i>Tucker v. Marietta Area Health Care</i>	No. 2:22-CV-00184 (S.D. Ohio)	\$1,750,000	216,478	\$8.08
<i>Pederson v. AAA Collection, Inc.</i>	No. 4:22-cv-04166 (D.S.D.)	\$865,000	66,488	\$13.00
<i>Migliaccio v. Parker Hannifin Corp.</i>	No. 1:22-cv-00835 (N.D. Ohio)	\$1,750,000	115,359	\$15.17

Class Counsel and Plaintiffs believe that the proposed Settlement in this case is adequate, fair, and reasonable in that it exceeds the settlement amount recovered per class member in several other similar data breach class action settlements.

27. Additionally, the Notice program contemplated by the Settlement provides the best practicable method to reach Class Members and is consistent with successful class action notice programs that have been approved by various courts for similarly situated matters.

28. Thus, Class Counsel asks the Court to grant preliminary approval of the Settlement Agreement and enter the proposed preliminary approval order filed with this motion.

COUNSEL'S QUALIFICATIONS

Terence R. Coates and Dylan J. Gould, Markovits, Stock & DeMarco, LLC

29. Terence R. Coates is the managing partner of Markovits, Stock & DeMarco, LLC (“MSD”) in Cincinnati, OH and Mr. Gould is an attorney at MSD. Messrs. Coates and Gould and MSD have extensive experience handling complex class action cases and is currently participating as a member of plaintiffs’ counsel in the over 70 data breach and data privacy cases pending around the country, including serving as co-lead counsel for plaintiffs in *John v. Advocate Aurora Health*,

Inc., No. 22-CV-1253-JPS (E.D. Wis.) (class counsel for \$12.25 million data privacy class action settlement); *Tucker v. Marietta Area Health Care, Inc.*, No. 2:22-cv-00185 (S.D. Ohio) (class counsel for \$1.75 million data breach class action settlement); *Migliaccio v. Parker Hannifin Corp.*, No. 1:22-CV-00835 (N.D. Ohio) (class counsel for \$1.75 million data breach class action settlement); *Vansickle v. C.R. England, Inc.*, No. 2:22-cv-00374 (D. Utah) (class counsel in for \$1.4 million data breach class action settlement); *Phillips v. Bay Bridge Administrators, LLC*, No. 1:23-cv-0220-LY (W.D. Tex.) (class counsel for plaintiffs); *Rodriguez v. Professional Finance Company, Inc.*, No. 1:22-cv-1679 (D. Colo.) (class counsel for plaintiffs); *Sherwood v. Horizon Actuarial Services, LLC*, No. 1:22-cv-1495 (N.D. Ga) (class counsel in for \$7.75 million data breach class action settlement); *Tracy v. Elekta, Inc.*, No. 1:21-cv-02851-SDG (N.D. Ga.); *Devine v. Health Aid of Ohio, Inc.*, No. CV-21-948117 (Cuyahoga County Court of Common Pleas, Ohio) (court-appointed class counsel in finally-approved class action settlement); *Engle v. Talbert House*, No. A 2103650 (Hamilton County Court of Common Pleas, Ohio) (court-appointed class counsel in finally-approved class action settlement); *Lutz v. Electromed, Inc.*, No. 0:21-cv-02198 (D. Minn.) (class counsel in \$825,000 data breach class settlement); *Bae v. Pacific City Bank*, No. 21STCV45922 (Los Angeles County Superior Court, Cal.) ((class counsel in for \$700,000 data breach class action settlement);. and, *Morelli v. Jim Koons Management Co.*, No. 8:22-cv-00292-GJH (D. Md.) (class counsel in data breach class action settlement). Furthermore, Mr. Coates holds leadership positions in many other data privacy lawsuits including *In re Luxottica of America, Inc. Data Security Breach Litigation*, No. 1:20-cv-00908-MRB (S.D. Ohio; court-approved interim co-liaison counsel); *Tate v. EyeMed Vision Care, LLC*, No. 1:21-cv-00036 (S.D. Ohio; court-approved liaison counsel); *Medina v. PracticeMax Inc.*, No. CV-22-01261 (D. Ariz.) (court-appointed Executive Leadership Committee); *In re Netgain Technology, LLC Consumer Data*

Breach Litigation, No. 2:10-cv-01210 (D. Minn.; court-appointed member of plaintiffs' steering committee); *In re 20/20 Eye Care Network Inc. Data Breach Litigation*, No. 21-cv-61275 RAR (S.D. Fla.) (Plaintiffs' Executive Committee); and, *Baker v. ParkMobile, LLC*, No. 1:21-cv-02182 (N.D. Ga.) (Plaintiffs' Steering Committee).

30. Mr. Coates was also co-lead counsel in several non-data breach class action cases including, *Compound Property Management LLC v. Build Realty, Inc.*, 343 F.R.D. 378, (S.D. Ohio 2023) (appointing Markovits, Stock & DeMarco, LLC as class counsel and certifying classes for Civil RICO and breach of fiduciary duty claims); *Shy v. Navistar International Corp.*, No. 92-cv-0333-WHR (S.D. Ohio) (class counsel for settlement valued at over \$742 million); *Walker v. Nautilus, Inc.*, No. 2:20-cv-3414-EAS (S.D. Ohio) (\$4.25 million settlement); *Bechtel v. Fitness Equipment Services, LLC*, No. 1:19-cv-726-KLL (S.D. Ohio) (\$3.65 million settlement); *Ryder v. Wells Fargo Bank, N.A.*, No. 1:2019-cv-00638 (S.D. Ohio) (member of class counsel in a \$12 million settlement on behalf of roughly 1,830 class members). Moreover, he has extensive experience participating in other high-profile class action cases including, *In re Fannie Mae Securities Litigation*, No. 1:04-cv-1639, (D.D.C.) (assisted in representing the Ohio public pension funds as lead plaintiffs in a Section 10b-5 class action resulting in a \$153 million settlement); and *Williams v. Duke Energy*, No. 1:08-cv-0046 (S.D. Ohio) (served as counsel for plaintiffs in a complex antitrust and civil RICO class action resulting in a \$80.875 million settlement).

31. Courts routinely recognize Messrs. Coates and Gould and their firm as experienced in handling complex cases including class actions. *Miranda v. Xavier University*, No. 1:20cv-539, 2023 WL 6443122, at *2 (S.D. Ohio Oct. 3, 2023) (approving Markovits, Stock & DeMarco, LLC as class counsel: "Plaintiffs are represented by extremely qualified counsel with extensive experience prosecuting class actions."); *Shy v. Navistar Int'l Corp.*, No. 3:92-CV-00333, 2022 WL

2125574, at (S.D. Ohio June 13, 2022) (“Class Counsel, the law firm Markovits, Stock & DeMarco, LLC, are qualified and are known within this District for handling complex including class action cases such as this one.”); *Bechtel v. Fitness Equip. Servs., LLC*, 339 F.R.D. 462, 480 (S.D. Ohio 2021) (“plaintiffs’ attorneys have appeared in this Court many times and have substantial experience litigating class actions and other complex matters.”); *Schellhorn v. Timios, Inc.*, No. 2:21-cv-08661, 2022 WL 4596582, at *4 (C.D. Cal. May 10, 2022) (noting that Class Counsel, including “Terence R. Coates of Markovits, Stock & DeMarco, LLC, have extensive experience litigating consumer protection class actions”); *Bedont v. Horizon Actuarial Services, LLC*, No. 1:22-CV-01565, 2022 WL 3702117, at *2 (N.D. Ga. May 12, 2022) (noting that class counsel, including Mr. Coates, “are well qualified to serve as Interim Co-Lead Class Counsel and that they will fairly, adequately, responsibly, and efficiently represent all Plaintiffs in the Cases in that role.”).

Joseph Lyon, The Lyon Firm

32. *The Lyon Firm* is a Cincinnati, Ohio based law firm, representing individuals nationwide in class action and product liability litigation. The Firm also has an office in St. Louis, Missouri. Joseph M. Lyon is the founder and sole member of the Firm that includes four attorneys and three staff members. The attorneys are licensed in Ohio, Kentucky, Illinois, California, Missouri, and Arizona, as well as numerous federal courts, including the District of South Dakota.

33. Over the past 20 years, The Firm has represented thousands of individual clients in all fifty states in both federal and state court consolidated actions. Mr. Lyon has served as Class Counsel, on Executive and Steering Committees, and as plaintiffs’ counsel on over a hundred class actions. These complex cases have involved a diverse range of legal, scientific, regulatory, and

public policy issues involving medical devices, pharmaceutical products, toxic consumer products, and data privacy matters.

34. More recently, the Firm has focused on privacy class action matters involving both data security issues (“Data Brach”) and unauthorized tracking and data sharing (“Pixel”) litigation. Many of these matters involve industry-wide failures in the health care and financial services industries that have created an unprecedented loss of personal privacy and consumer value. The Firm has been intimately involved in the law and briefing and developing new case law in this innovative field of law throughout the country. Through all of the practice areas, the Firm work has contributed to positive corporate change and accountability, resulting in safer products, more secure data privacy, and hundreds of millions of dollars of returned value to Plaintiffs and Consumers nationwide.

35. Like Mr. Coates, Courts have also routinely appointed Mr. Lyon and his Firm in data privacy matters, including: *Henderson v. Reventics, LLC*, No. 1:23-cv-00586 (D. Colo.): Appointed co-lead class counsel in consolidated data breach action impacting over 4.2 million healthcare consumer; *Suhr v. DC Health Link*, No. 1:23-cv-00694 (D.D.C): Appointed co-lead class counsel in highly publicized consolidated action involving a data breach impacting the health insurance marketplace for the District of Columbia; *In re NCB Management Services, Inc. Data Breach Litigation*, No. 2:23-cv-01236 (E.D. Pa.): Appointed interim co-lead class counsel in consolidated action involving a data breach impacting over 1 million consumers; *Migliaccio v. Parker Hannifin Corp.*, No. 1:22-cv-835 (N.D. Ohio): Appointed co-lead class counsel by Judge Polster in data breach class action against multi-national manufacturer impacting 115,843 current and former employees; Final Approval granted for a \$1,750,000.00 non-reversionary common fund; *Rodriguez v Christus Health*, No. 3:22-cv-02899 (N.D. Texas): Appointed interim co lead

class counsel in healthcare data breach impacting over 700,000 patients; *Hawkins v. Navy Federal Credit Union*, No. 1:19-cv-01186 (E.D. Va): Appointed co-lead class counsel in TCPA class action; Final Approval granted for nationwide class and non-reversionary common fund settlement of \$9,250,000 providing monetary compensation for class of over 66,000; *Forslund v RR Donnelly*, No. 1:22-cv-04260 (N.D. Ill): Appointed interim co lead class counsel in healthcare data breach impacting over 80,000 consumers; Motion for Preliminary Approval is pending; *Devine v. Health Aide of Ohio*, No. cv-21-948117 (Cuyahoga County, Ohio): Appointed co-lead class counsel in consolidated data breach class action involving 141,149 medical patients; Final Approval granted for a claims made nationwide settlement providing monetary benefits and additional identity theft protection valued at over \$12.5 million; *In Re Southern Ohio Health System Data Breach*, No. A-2101886 (Hamilton County, Ohio): Appointed co-lead counsel in consolidated data breach class action impacting two Ohio hospital systems and 420,433 patients' healthcare information; Final Approval granted for nationwide non-reversionary common fund settlement of \$1,950,000.00.; *Engle v. Talbert House*, No. A 2103650 (Hamilton County, Ohio): Appointed co-lead class counsel in a data breach class action impacting over 300,000 medical patients; Final Approval granted for nationwide claims made settlement providing monetary benefits and additional identity theft protection with claimed value at \$1,171,000.00 and offered class value of \$49,840,000.00; *Tucker v. Marietta Area Health Care, Inc.*, No. 2:22-cv-00184 (S.D. Ohio): Appointed interim co-lead in consolidated data breach class action involving ransomware attack on Ohio hospital that compromised the PII and PHI of 216,478 patients; Preliminary Approval pending that would provide for a \$1,750,000.00 non-reversionary common fund; *Rodriguez v. Professional Finance Company, Inc.*, No: 22-cv-01679 (D. Colo.): Appointed interim co-lead class counsel in consolidated action involving a data breach impacting over 2 million consumers; and, *Bae v.*

Pacific City Bank, No. 21STCV45922 (Los Angeles County Superior Court, Cal.): Appointed as interim co-lead class counsel in a data breach class action involving 15,037 customers; Preliminary Approval granted establishing a non-reversionary common fund of \$700,000.00.

36. Mr. Lyon has the adequate experience and ability to represent the Class through this proposed settlement.

Raina Borrelli, Turke & Strauss LLP

37. Turke and Strauss is a law firm in Madison, Wisconsin, that focuses on complex civil and commercial litigation with an emphasis on consumer protection, employment, wage and hour, business, real estate, and debtor-creditor matters.

38. Raina Borrelli is a partner at Turke & Strauss LLP whose practice focuses on complex class action litigation, including data breach, Telephone Consumer Protection Act (“TCPA”), false advertising, and consumer protection cases in both state and federal courts around the country. Ms. Borrelli received her J.D. *magna cum laude* from the University of Minnesota Law School in 2011. Prior to joining Turke & Strauss, Ms. Borrelli was a partner at Gustafson Gluek, where she successfully prosecuted complex class actions in federal and state courts. Ms. Borrelli is an active member of the Minnesota Women’s Lawyers and the Federal Bar Association, where she has assisted in the representation of pro se litigants through the Pro Se Project. Ms. Borrelli has repeatedly been named to the annual Minnesota “Rising Star” Super Lawyers list (2014-2021) by SuperLawyers Magazine. She has also been repeatedly certified as a North Star Lawyer by the Minnesota State Bar Association (2012-2015; 2018-2020) for providing a minimum of 50 hours of pro bono legal services. In recent years, Ms. Borrelli has been substantially involved in a number of complex class action matters in state and federal courts including: *Hudock v. LG Electronics USA, Inc.*, 16-cv-1220 (JRT/KMM) (D. Minn.); *Baldwin v. Miracle-Ear, Inc.*, 20-cv-

01502 (JRT/HB) (D. Minn.); *In re FCA Monostable Gearshifts Litig.*, 16-md-02744 (E.D. Mich.); *Zeiger v. WellPet LLC*, 17-cv-04056 (N.D. Cal.); *Wyoming v. Procter & Gamble*, 15-cv-2101 (D. Minn.); *In re Big Heart Pet Brands Litig.*, 18-cv-00861 (N.D. Cal.); *Sullivan v. Fluidmaster*, 14-cv-05696 (N.D. Ill.); *Rice v. Electrolux Home Prod., Inc.*, 15-cv-00371 (M.D. Pa.); *Gorczynski v. Electrolux Home Products, Inc.*, 18-cv-10661 (D.N.J.); *Reitman v. Champion Petfoods*, 18-cv-1736 (C.D. Cal.); *Reynolds, et al., v. FCA US, LLC*, 19-cv-11745 (E.D. Mich.).

39. Ms. Borrelli has significant experience in data privacy litigation and is currently litigating more than one-hundred data breach cases in courts around the country as lead counsel or co-counsel on behalf of millions of data breach victims, including *In re Netgain Tech. Consumer Data Breach Litig.*, 21-cv-1210 (D. Minn.) (appointed by the court to the Plaintiffs' Interim Executive Committee); *In re C.R. England, Inc. Data Breach Litig.*, 2:22-cv-374-DAK-JCB (D. Utah) (appointed by the court as Interim Co-Lead Counsel); *Medina et al. v. PracticeMax Inc.*, 22-cv-01261-DLR (D. Ariz.) (appointed to Executive Leadership Committee); *Forslund et al. v. R.R. Donnelley & Sons Co.*, 1:22-cv-04260 (N.D. Ill.) (appointed as interim co-lead class counsel); *In re Lincare Holdings, Inc. Data Breach Litig.*, 8:22-cv-01472 (M.D. Fla.) (appointed to Interim Executive Leadership Committee); *McLaughlin v. Flagstar*, 22-cv-11470 (E.D. Mich.); *Corra et al. v. Acts Retirement Services, Inc.*, 2:22-cv-02917 (E.D. Pa.); *Grogan v. McGrath RentCorp., Inc.*, 22-cv-490 (N.D. Cal.); *Goetz v. Benefit Recovery Specialists, Inc.*, Case No. 2020CV000550 (Wis. Cir. Ct., Walworth Cty.) (data breach settlement on behalf of 500,000 breach victims); *Kunkelman v. Curators of the University of Missouri, d/b/a MU Health Care*, Case No. 21BA-CV00182 (Mo. Cir. Ct., Boone Cty.); *Baldwin v. Nat'l Western Life Ins. Co.*, 21-cv-04066-WJE (W.D. Mo.) (settlement on behalf of 800,000 data breach victims).

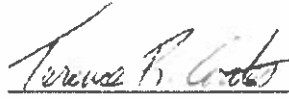
Pamela Reiter, Reiter Law Firm LLC

40. In March 2008 Attorney Reiter joined the predecessor law firm to what was known as Johnson, Janklow, Abdallah & Reiter and has been in the private practice of law for over fifteen years. She graduated first in her class from the University of South Dakota School of Law in 1994. She was first licensed to practice law in South Dakota in 1995 and has maintained her license in good standing since her admission to the State Bar of South Dakota. She became a partner in the firm in 2011, became a part-owner in the firm in 2013 and served as the Managing Partner from August 1, 2019, until she left the firm to form her new practice at Reiter Law Firm, LLC on January 1, 2023. Attorney Reiter has received national recognition from both Benchmark Litigation and Super Lawyers. Benchmark Litigation named her as one of the Top 250 Women in Litigation in 2017 and ranked her as a “litigation star.” Super Lawyers has named her a top-rated lawyer from 2014-2023. Attorney Reiter is an AV Preeminent Rated Attorney by Martindale Hubbell, which is the highest possible rating in both legal ability and ethical standards issued by this peer-review organization. Before entering private practice in 2008, she worked for nearly fourteen years as a federal district court law clerk, to the Honorable John Jones, the Honorable Charles Kornmann and the Honorable Lawrence Piersol, in which she worked on numerous complex cases in the District of South Dakota.

Pursuant to 28 U.S.C. § 1746, we declare signed under penalty of perjury of the United States of America that the foregoing is true and correct.

Date: October 5, 2023

/s/ Pamela R. Reiter
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